

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Jose L. Linares
	:	
v.	:	08-cr-00290-JLL
	:	
MARCELLUS MITCHELL	:	ORDER FOR CONTINUANCE

This matter having come before the Court on the application of Christopher J. Christie, United States Attorney for the District of New Jersey (Jacob T. Elberg, Assistant U.S. Attorney, appearing), and defendant Marcellus Mitchell (Patrick McMahon, AFD, appearing), for an order granting a continuance of the proceedings in the above-captioned matter; and the defendant being aware that he has the right under Title 18 United States Code, Section 3161(c) to have the matter go to trial within 70 days of the filing date of an indictment or information; and the defendant through his attorney having waived such rights and consented to the continuance; and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:


1. Plea negotiations currently are in progress, and both the United States and the defendant desire additional time to enter the plea in Court, which would thereby render trial of this matter unnecessary.
2. Defendant has consented to the aforementioned continuance.
3. The grant of a continuance will likely conserve judicial resources.

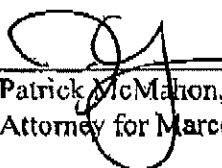
4. Pursuant to Title 18 of the United States Code, Section 3161(h)(8)(A), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

WHEREFORE, it is on this 25th day of June 2008,

ORDERED that the proceedings in the above-captioned matter are continued from April 29, 2008 to July 28, 2008; and

IT IS FURTHER ORDERED that the period between April 29, 2008 and July 28, 2008, shall be excludable in computing time under the Speedy Trial Act of 1974.


HON. JOSÉ L. LINARES
United States District Court Judge

 John Gauch
Patrick McMahon, AFD for PM
Attorney for Marcellus Mitchell

Date: 6/24/08